

RECEIVED
CENTRAL FAX CENTER

002/010

JAN 07 2005

60427-258
2000P07583US01-7802

AMENDMENTS TO THE CLAIMS:

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims

1. (Previously Presented) A noise attenuation system comprising:
a speaker;
a control unit in communication with said speaker; and
a memory unit in communication with said control unit storing a cancellation waveform related to a system condition wherein said control unit has a plurality of scaling factors to modify said cancellation waveform.
2. (Previously Presented) The noise attenuation system of claim 1 wherein said system condition is engine data.
3. (Previously Presented) The noise attenuation system of claim 2 wherein said engine data is engine speed.
4. (Previously Presented) The noise attenuation system of claim 1 further including at least one sensor in communication with said control unit.

60427-258
2000P07583US01-7802

5. (Previously Presented) The noise attenuation system of claim 4 wherein said sensor is a tachometer.
6. (Previously Presented) The noise attenuation system of claim 4 wherein said sensor is a throttle position sensor and said control unit is programmed to select a scaling factor from said plurality of scaling factors based on data from said throttle position sensor.
7. (Previously Presented) The noise attenuation system of claim 4 wherein said sensor is an environmental sensor.
8. (Currently Amended) The noise attenuation system of claim 1 wherein said speaker is disposed as part of an air induction system body.
9. (Currently Amended) An air induction system comprising:
 - an air induction duct body having a speaker;
 - a control unit in communication with said speaker; and
 - a memory unit in communication with said control unit storing cancellation waveform data wherein said cancellation waveform data comprises at least one cancellation waveform related with engine data.

60427-258
2000P07583US01-7802

10. (Previously Presented) The air induction system of claim 9 wherein said engine data relates to engine speed.
11. (Previously Presented) The air induction system of claim 9 further including at least one sensor in communication with said control unit.
12. (Previously Presented) The air induction system of claim 11 wherein said sensor is a tachometer.
13. (Previously Presented) The air induction system of claim 11 wherein said sensor is a throttle position sensor.
14. (Previously Presented) The air induction system of claim 11 wherein said sensor is an environmental sensor.
15. (Cancelled)

60427-258
2000P07583US01-7802

16. (Previously Presented) A method of attenuating noise comprising the steps of:
storing in memory cancellation waveform data;
retrieving the cancellation waveform data needed to attenuate a noise based upon a sensed engine condition;
delaying transmission of the cancellation waveform data a predetermined amount of time to accommodate for a time taken to retrieve the cancellation waveform data;
transmitting the cancellation waveform data; and
attenuating the noise using the cancellation waveform data.
17. (Original) The method of claim 16 wherein the noise relates to engine noise.
18. (Previously Presented) The method of claim 16 wherein the cancellation waveform data is related with engine speed and is retrieved and used to attenuate the noise.
19. (Original) The method of claim 16 wherein the noise is attenuated about air induction system.
20. (Previously Presented) The method of claim 16 further comprising the step of scaling the cancellation waveform data.

60427-258
2000P07583US01-7802

21. (Previously Presented) The noise attenuation system of claim 1 wherein said plurality of scaling factors are set to modify an amplitude of said cancellation waveform.
22. (Previously Presented) The method of claim 16 wherein the predetermined amount of time is longer than the time taken to retrieve the cancellation waveform data.